UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/068,369	02/06/2002	Joachim Hagmeier	DE920000047US1	6141

25259	7590	12/15/2005

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EXAMINER
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ART UNIT	PAPER NUMBER
3622	

DATE MAILED: 12/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	10/068,369	HAGMEIER ET AL.
	Examiner	Art Unit	
	Arthur Duran	3622	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time·may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _31 October 2005_.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1 and 3-10_ is/are pending in the application.

  4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1 and 3-10_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

  a)☐ All b)☐ Some * c)☐ None of:

  1.☐ Certified copies of the priority documents have been received.

  2.☐ Certified copies of the priority documents have been received in Application No. _____.

  3.☐ Copies of the certified copies of the priority documents have been received in this National Stage .application from the International Bureau (PCT Rule 17.2(a)).

  * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
  Paper No(s)/Mail Date _____ .

4)☐ Interview Summary (PTO-413)
  Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____ .

DETAILED ACTION

1.   Claims 1 and 3-10 have been examined.

Response to Amendment

2.   The Amendment filed on 10/31/05 is insufficient to overcome the prior rejection.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2.   Claims 1and 3-10 are rejected under 35 U.S.C. 103(a) as being obvious over

Wong (6,119,933) in view of Kawan (6,889,198).

As per independent claim 1, <u>Wong</u> (FIG. 4, el. *"Object 3:1"*) and el. *"Object 3:2"*

discloses: a *"Back-end"* computer.

<u>Wong</u> (FIG. 2, el. *"Object 1:7"*) discloses: *"DBMS. . . ."*

<u>Wong</u> (col. 2, ll. 3-5;and the ABSTRACT) discloses: *"frequency award point" and "A*

customer frequency, analysis and reward system. . . ."

<u>Wong</u> (FIG. 12) shows a "spreadsheet. . . ."

<u>Wong</u> (FIG. 1) shows a " communication link connecting [computers]. . . ."

<u>Wong</u> (the ABSTRACT; FIG. 1; FIG. 2A; FIG. 2B; FIG. 3; FIG. 4; FIG. 5; FIG. 6A;

FIG. 6B; FIG. 6C; FIG. 7; FIG. 8; FIG. 10; FIG. 11; FIG. 12; FIG. 14; FIG. 15; FIG. 16; FIG.

18; col. 1, ll. 4-67; col. 2, ll. 1-22; col. 2, ll. 42-67; col. 3, ll. 21-67; col. 4, ll. 5-67; col. 5, ll. 7-
67; col. 6, ll. 1-67; col. 8, ll. 10-67; col. 1-67; col. 10, ll. 1-67; and col. 11, ll. 1-67) shows: "a
back-end computer having a first database for storing loyalty . . . and user data. . . ."

As per dependent claim 3, Wong shows the system of claim 2.

Wong (FIG. 1) discloses a *"P.O.S. DEVICE. . . ."*

Wong (col. 3, ll. 35-55) shows: *"credit card"* utilization.

Wong (col. 9, ll. 47-61) discloses: *"Spreadsheet Net Sales" and "Dollars Sold. . . ."*

As per dependent claim 4; Wong shows the system of claim 2 or claim 3.

Wong (FIG. 1) discloses a "front-end" *"P.O.S. DEVICE. . . ."*

Claim 5 is rejected at least for substantially the same reasons as claim 1.

Claim 6 is rejected at least for substantially the same reasons as claim 1.

Claim 7 is rejected at least for substantially the same reasons as the "communication
link" element of claim 1. (Also, see Wong (FIG. 1)).

Claim 8 is rejected for at least substantially the same reasons as claims 6, 7 & 3.

Claim 9 is rejected for the same reasons as claim 1.

As per dependent claim 10, Wong shows the method of claim 9.

Wong (col. 5, ll. 35-55) discloses: *"award amount (i. e., 'cost') . . . processing."*

Additionally, Wong discloses a rewards system for user loyalty that utilizes a back-end
and front-end database for storing user information and user transaction information, and that the
back-end and front-end databases can be synchronized, and also the utilization of a marketing
computer:

"[Claim]   6. A customer frequency, analysis, and reward system administered by a

first entity comprising:

a point of sale (POS) data collection device capable of inputting POS

customer transaction data, including a customer profile ID, wherein the POS

data collection device is configured to identify a customer with a number

previously assigned to the customer by an unrelated second entity;

a local database closely coupled to the point of sale device for storing

customer profiles; .

a central data warehouse, periodically updated by data in said local

database, for storing all customer profiles and transaction details from a

number of POS local databases;

a set of analytical information tools, with access to said data warehouse,

for performing customer frequency and transaction analysis and generating

meaningful information including spending trends and customer frequency; and

a customer loyalty reward system, with access to data in said data

warehouse, for maintaining information regarding customer frequency in order to

provide an awards program as an incentive for a customer participating in said

customer analysis system" (col 13, line 4-col 14, line 15).

Wong further discloses that the user utilizes a POS device at a retailer and that the

transactions involve the loyalty program (Fig. 1 and below):

"(3)   According to one embodiment, a customer interacts with the system initially at a

data collection point-of-sale POS) device at a retail outlet or other place where a customer

interacts with the seller (or user of the system). This POS device may include a magnetic card

reader for reading a magnetic stripe on a credit card or other customer loyalty card, or may

include a keyboard for entering customer ID information, or may include a check scanner

for reading the number of a customer checking account, or may include a biometric input device

such as a fingerprint reading technology, or any other device for identifying and validating the

identity of a particular customer or group/family of customers" (col 1, lines 17-30).

Wong discloses a point-of-sale terminal associated with the front-end computer (Fig. 1)

Wong further discloses performing validations at the POS terminal to determine if the

user can participate in the loyalty program:

"(4)   Once the customer data is read by the POS device, it is compared against a local

database which is generally at the retail establishment or quickly accessible to the retail

establishment. A match is attempted in the local database from whatever data is collected from

the customer. According to one embodiment of the invention, the database will have multiple

input points so that a customer does not need to provide a single ID for a loyalty system but

the customer's identity may be determined from any of the possible inputs including different

credit cards, a number of different checking accounts, a driver's license, or any other ID

methodology (col 1, lines 30-42).

Wong discloses performing marketing analysis at a central location utilizing data

obtained from the POS terminal:

"(6)   According to the invention, furthermore, there may be provided a data warehouse.

The function of the data warehouse is to collect all generated customer data on a daily basis and

to compile customer profiles about each customer in order to enhance marketing to that

customer. External information may be compared against the data warehouse such as

demographic data or any other data available about particular customers or groups of customers.

A number of analytic tools may be performed to provide meaningful analysis desired by the

sellers of their customer profiles, such as identifying spending trends, customer preferences, or

the like. In one embodiment of the invention, the central database used for customer validation

and the data warehouse are the same database (col 1, line 55-col 2, line 4);

(6) Other features also may be included in specific embodiments of the invention,

including: (1) Remote location collection of customer visit and POS transactional data; (2) End

of day transmission of the data; (3) Translation and storage of data in membership & POS

database (data warehouse); (4) Hard copy and on-line individual reports of membership

information; (5) Hard copy and on-line reports on the frequency of customer visits; (6) Hard

copy and on-line reports on sales information linked to customer visits; (7) Weekly and monthly

transmission of summarized data back to customer sites for analysis;

(7) Remote Data Collection POS Input

(8) At the remote location, the system can be an existing DOS or Windows based POS

device with a magnetic-strip reader or other input device to collect customer frequency

information or, for locations without the adequate POS equipment, an external card reader with

built in modem and printer may be installed. In cases where a credit card is used to identify

customers, a device will be used to read an existing credit card, and only pick up the last

several digits of the card number. The purpose for this is convenience to the customer, comfort

level of security, used as the member identification number, and is a cost saving to users of the

invention of not having to produce membership cards. The device prompts the user of the

system for any requested information, <u>stores</u> the data and transmits to the host system on a daily

basis. A small printer is attached to print a transaction receipt with membership information,

date and time of visit, and points added. The communication link between the remote locations

and host can be dial up phone service, sprintnet or telenet type service, T1.5 access, or

dedicated line service all contingent upon client needs (col 3, lines 20-55);

(11) The user of the remote data capture device will take input from an existing credit

card, smart card, private label card, or biometric device and record the member identification.

If the member does not have an input card, the screen can prompt the server to manually enter a

member number. The screen can allow entry of the guest receipt number and total amount of

receipt. Generally, the collected information will be <u>stored</u> on the POS device until at

the end of the day, when the device batches and transmits the EOD file to the host network.

The POS transactional data is transmitted to the host network and the combined data is used to

correlate and provide relevant management reports" (col 3, line 65-col 4, line 10).

Wong further discloses the utilization of databases and data organizing means:

"(16) Reports--Accessing the <u>databases</u> and presenting the information in an

understandable and useful format is a primary objective. Predefined reports and online queries

against the <u>database</u> are important features of the embodiment" (col 4, lines 24-30).

Wong discloses the utilization of points, calculations of points providing, and the

utilization of smart cards:

"(7) According to a further embodiment of the invention, the system keeps track of

customer frequency award <u>points</u> in order to encourage customers to participate in the system.

A mechanism is provided for customers to directly interact with this customer <u>loyalty</u> system in order to determine their eligibility for awards, or other information, based on their patronage of particular retailers that participate in the customer <u>loyalty</u> system. According to one embodiment, this interface is provided via the World Wide Web over the Internet wherein customers are allowed to interact directly with aspects of the data warehouse, to view their customer information, and to make corrections to such identifying information as telephone numbers and addresses.

(8)   According to a further embodiment of the invention, a customer may be given a smartcard, which records customer award <u>points</u> as well as other customer data such as customer preferences or frequency of visits. The invention will be understood better with reference to the following detailed descriptions of the drawings" (col 2, lines 3-23).

Wong further discloses utilizing tables and database for transaction processing (Fig. 2b; Fig. 5; Fig. 6a; Fig. 6c).

Wong does not explicitly disclose that the central/back end computer updates the loyalty rules stores on the POS/front end computer.

Kawan discloses updating or synchronizing the back end computer with information and transaction information on users from the front end computer:

"(14)   In an embodiment of the present invention, as another alternative, the stand alone terminal 2 has the capability to print out summary information for the local merchant on printer 14. The merchant can print out daily/weekly/monthly reports on the loyalty <u>program</u> usage and other <u>program</u> information. These reports are useful in auditing total points given to

customers, total points redeemed, and other similar information. As an additional alternative, the loyalty <u>program</u> 28 reports the update of the loyalty register 40 <u>back</u> to the stand alone terminal 2, and the stand alone terminal uploads the update to a <u>back</u> office loyalty server" (col 8, lines 5-15).

Kawan discloses that loyalty rules on front end are updated from and synchronized with the back end and that the front end rules are utilized for processing transactions at the POS terminal:

"(24) In an embodiment of the present invention, a merchant may wish, for example, to run specials such as on a particular day of the week to award the consumer double points if the consumer uses the card 4 at a certain time of day, such as between 2:00 pm and 4:00 pm. In order to accomplish that, since the terminal records the merchant identifier 42, for example, a couple of bytes of the merchant identifier is used to specify specific kinds of updates. For example, either a <u>central</u> system or the merchant loads into the terminal, remotely or locally, the variation of the two bytes into the merchant's identifier 42. Thus, when the terminal operates and commands "do loyalty update," or when the transaction takes place and the transaction is stored in the transaction record 26 of the card 4, when the loyalty application on the card looks at the merchant identifier 42 and compares the merchant identifier, it uses that information to adjust how the points are added to the card, either one to one, or with some multiplier, or with some other variation to award loyalty points" (col 10, lines 30-50).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to add Kawan's front end rules updated by the back end to Wong's processing transactions at the front end/POS terminal. One would have been motivated to do this

in order to provide Wong with the capability of adjusting how transactions are handled as Wong

performs marketing analysis and better understands how to interact with the user.

Hence, the combination of Wong and Kawan renders obvious at least one front-end

computer that also contains a database for storing the loyalty program rules and user data as well

as a spreadsheet engine for processing user transaction data in accordance with the loyalty

program rules stored in the front-end computer. . .includes a communications link for

maintaining synchronization between the loyalty program rules stored in the back-end computer

and the front-end computer.

Response to Arguments

3.   Applicant's arguments with respect to claims 1 and 3-10 have been considered but are not

found persuasive.

On page 5 of the Applicant's Amendment dated 10/31/05, Applicant states, "First,

Applicant's system includes at least on front-end computer that also contains a database for

storing the loyalty program rules and user data as well as a spread sheet engine for processing

user transaction data in accordance with the. . .Second. . .a communications link for maintaining

synchronization between the loyalty program rules stored in the back-end computer and the

front-end computer."

On page 5-6, Applicant further states, "In the Wong system, customer loyalty information

is described only as being stored in a central data warehouse. . .there is nothing in the Wong

specification to suggest that a customer may interact with the customer loyalty system in any

other way than over an interface 'provided via the WWW over the Internet'

On page 6, Applicant states, "What the Kawan patent shows is the use of a so-called

smart card to. . .The Kawan reference clearly does note teach including a front-end computer

device in a point-of-sale terminal to provide point-of-sale customer loyalty program processing

capability. . .loyalty program application is resident only on the smart card, not on a front end

computer integrated into a point of sale terminal."

However, in regards to the Wong prior art, please see the extensive citations beginning

with the section in the rejection above stating, "Additionally, Wong discloses a rewards system

for user loyalty that utilizes a back-end and front-end database for storing user information and

user transaction information, and that the back-end and front-end databases can be synchronized,·

and also the utilization of a marketing computer. . ." to see how Wong discloses the utilizing a

POS interface with a customer loyalty program and how the POS stores multiple transaction

related information.

Also, Examiner notes that it is the Applicant's claims as stated in the Applicant's claims

that are being rejected with the prior art. Also, although the claims are interpreted in light of the

specification, limitations from the specification are not read into the claims. See *In re Van

Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). And, Examiner notes that claims are

given their broadest reasonable construction. See *In re Hyatt*, 211 F.3d 1367, 54 USPQ2d 1664

(Fed. Cir. 2000).

Also, Applicant's Specification (10,068,369 or 2002/0120514) discloses utilizing cards

or smart cards in transactions involving a loyalty program:

"[0033] The front-end computer 77 captures user and transaction data which are

provided by means of a manual input operation, a customer <u>card,</u> such as a smart

card, or similar devices.

[0037] FIG. 8 shows a flow chart illustrating an embodiment of the method of the invention. In step 1 a user ID is inputted into the front-end computer. This can be done manually or by means of a smart card or other authentication means."

And, Kawan's disclosure of utilizing a card does not prevent Kawan from being utilized as prior art relevant to features concerning loyalty programs and POS terminals/front end computers and central/back end computers.

And, Kawan discloses utilizing a stand alone terminal and a merchant terminal (Fig. 1 and Fig. 6; Fig. 7; Fig. 8).

Kawan discloses that the comparison and adjusting and authentication can be performed at the terminal and outside or external of the card:

"(17)   In an embodiment of the present invention, in order for such a loyalty program to comply with pre-existing card rules, such as VISA Cash card rules, it is necessary to use an external terminal, such as stand alone terminal 2, to separately access the VISA Cash card transaction record 26 and the loyalty records 40, essentially in order to perform the comparison on the outside and update to the card 4. In such a process, since the loyalty update is operating outside the card 4, it is necessary to have a security mechanism, including a special key, called a loyalty key, that resides in terminal 2, for authentication at S21 as shown in FIG. 7. The loyalty key residing in the terminal 2 allows secure update of the loyalty register 40. Without such a loyalty key in terminal 2, anyone could put the card 4 into the terminal, or into a simulation of the terminal, and arbitrarily add loyalty points to the card" (col 8, line 50-65).

Kawan further discloses updating the terminal and updating the central system with information from the terminal (col 9, lines 5-15).

Also, notice in Kawan that the terminal, local or remote, is updated by the central system with the merchant identifier information/rules which specify the reward updates:

"(24) In an embodiment of the present invention, a merchant may wish, for example, to run specials such as on a particular day of the week to award the consumer double points if the consumer uses the card 4 at a certain time of day, such as between 2:00 pm and 4:00 pm. In order to accomplish that, since the terminal records the merchant identifier 42, for example, a couple of bytes of the merchant identifier is used to specify specific kinds of updates. For example, either a central system or the merchant loads into the terminal, remotely or locally, the variation of the two bytes into the merchant's identifier 42. Thus, when the terminal operates and commands "do loyalty update,"" (col 10, lines 30-40).

Kawan further discloses that it is old and well known that a POS terminal connected to a back end computer can perform loyalty program functions:

"For example, a consumer using a smart card as a stored value card makes a purchase from a merchant using, for example, a merchant terminal. Loyalty points for the purchase may be put on the card at the merchant terminal by modifying the merchant terminal to accomplish this function. There also must be an intermediate system that collects the points and passes them forward to a host processor or central computer. A great deal of effort and expense is required to initiate such a system, because it interacts with and requires changes to the other terminal software.

(6)   Such additions and modifications to terminal software also require significant effort

in testing and validation. As such, loyalty systems of this type require a significant investment

in equipment, as well as time and centralized management, to oversee the entire process.

Another disadvantage of running a loyalty program off a modified merchant terminal is

reduction in throughput. Allocating and redeeming loyalty points at the modified merchant

terminal increases transaction time, causes longer check-out lines, and creates a need for more

personnel" (col 1, lines 30-50).

Kawan further discloses synchronizing the loyalty information on the terminal and the

back end computer (col 3, lines 25-46 and below)

"As an additional alternative, the loyalty program 28 reports the update of the

loyalty register 40 back to the stand alone terminal 2, and the stand alone terminal uploads the

update to a back office loyalty server" (col 8, lines 12-16).

Kawan further discloses that the terminal can perform loyalty functions and update card

with loyalty program related information:

"(4)   In an embodiment of the present invention, the stand alone terminal 2 activates the

smart card loyalty capability on first usage or by other terminal initialization means by

establishing a selected loyalty application 28 on microcomputer 6 of card 4. The terminal 2 can

then display the current point balance, for example, on LCD screen 10, update a loyalty register

of the loyalty program 28 and redeem loyalty points. The smart loyalty card system in

an embodiment of the present invention is controlled by a local merchant without interaction

with existing loyalty systems. Thus, frequent buyer-type loyalty programs can be easily

established without the necessity, complexity and cost of integration with existing systems" (col

5, lines 30-45)

After authentication at S21, the stand alone terminal 2 <u>compares</u> information in the

purchase <u>log</u> 24, such as the merchant identification number 32 and transaction number 30, to

information in the loyalty register 40, such as the merchant identification number 42 associated

with the particular merchant at S22. At S23, the stand alone terminal 2 <u>adjusts</u> the merchant

loyalty register 40 to account for any unrecorded merchant transactions" (col 6, lines 47-54).

Kawan further discloses that the stand alone terminal can update the loyalty information

and also that information can be changed on the stand alone terminal which is output from the

terminal:

"(12) In an embodiment of the present invention, in addition to <u>updating</u> one or more

merchant loyalty registers, the stand alone terminal 2 can be utilized to inquire about a

particular merchant loyalty register or to redeem loyalty points. . .The stand alone terminal 2

then <u>updates the specific</u> merchant loyalty register to account for the exchange at S36 and

prints out a coupon for use by the consumer at S37. The coupons can be standardized, for

example, to match the current coupon program of the merchant, such as by printing out a UPC

Code on the coupon. Also, the merchant can use the stand alone terminal 2 to enter a code,

which can be <u>changed</u> frequently, to be printed on the coupon for security purposes" (col 7,

lines 34-38 and col 7, lines 50-60).

Also, in regards to spreadsheet utilization, Wong and Kawan disclose records, tables, and

comparisons and Wong further discloses utilizing tables and database for transaction processing

(Fig. 2b; Fig. 5; Fig. 6a; Fig. 6c).

Also, Examiner notes that while specific references were made to the prior art, it is

actually also the prior art in its entirety and the combination of the prior art in its entirety that is

being referred to. Also, one cannot show nonobviousness by attacking references individually

where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413,

208 USPQ 871 (CCPA 1981); *In re Merck & Co.,* 800 F.2d 1091, 231 USPQ 375 (Fed. Cir.

1986).

Conclusion

The following prior art made of record and not relied upon is considered pertinent to

applicant's disclosure:

a) Fowler (2002/0026348) discloses a back end and front end computer where the back

end computer updates the loyalty rules on the front end computer, and a matrix that is used to

process the transaction of the user, and (Abstract; Fig. 1; 22; 23):

> "[0024] The customer/merchant/transaction database(s) serve as the basis for
> implementing, optionally, one or more Award Accelerator Program(s) using
> program rules matrix modules. The program matrix rules module(s) may
> incorporate numerous independent program rules modules for implementation of
> numerous programs, specified by various merchants or merchant groups.
> Merchants and merchant groups may apply different program rules matrix modules
> to different categories of customers, based on one or more customer
> identifier(s), one or more customer demographic groups, or the like, and to
> different categories of transactions. Additional or different program matrix
> rules modules may be introduced and linked to the host controller and
> integrated with appropriate databases, as desired. Individual program <u>rules</u>
> matrix module(s) may be <u>updated</u> or modified, as desired, at any point prior to
> initiation of or during a marketing program

> [0063] One of skill in the art would readily appreciate that the inventive
> system may include any number of other applications, as well as one or more of
> the following system units, or comparable units well known in the art:
> subsystems coupled to the <u>databases</u> for processing data; controllers for
> regulating correspondence between input data from the multimedia <u>terminals</u> and
> output from one or more subsystems; local storage and retrieval modules to

communicate with multimedia <u>terminals</u>; primary index managers; a plurality of
extended storage and retrieval modules; one or more data sequencing interface
units; one or more data delivery systems, and the like".

b) Pugliese (20020072974) discloses loyalty rules updating:

"[0371] The manage loyalty program promotions function 2308 allows the loyalty
program administrator to maintain the various program promotions. The system
allows the creation and <u>update</u> of business <u>rules</u> associated with the <u>loyalty</u>
program promotions".

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the mailing

date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Arthur Duran whose telephone number is (571) 272-6718. The

examiner can normally be reached on Mon- Fri, 8:00-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Eric Stamber can be reached on (571) 272-6724. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Arthur Duran
Patent Examiner
11/29/2005